



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/855,342 | 05/14/2001 | Michael A. Caligiuri | 35784/209112 (5784-50) |

CONFIRMATION NO. 8842

FORMALITIES LETTER



OC000000006288079

000826
ALSTON & BIRD LLP
BANK OF AMERICA PLAZA
101 SOUTH TRYON STREET, SUITE 4000
CHARLOTTE, NC 28280-4000

Date Mailed: 07/12/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

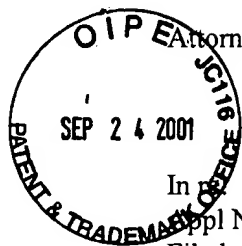
Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

09/26/2001 MBELETE1 00000103 09855342

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.130.00 OP



Attorney's Docket No. 35764/209112 (5784-50)

sector
PATENT #

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re
App No.:
Filed:
For:

Caligiuri *et al.*

09/855,342

May 14, 2001

METHODS OF THERAPY FOR CANCERS CHARACTERIZED
BY OVEREXPRESSION OF THE HER2 RECEPTOR PROTEIN

Confirmation No.: 8842

September 20, 2001

Box Missing Parts
Commissioner for Patents
Washington, DC 20231

**RESPONSE TO NOTICE TO
FILE MISSING PARTS OF APPLICATION**

Sir:

In response to the Notice to File Missing Parts of Application dated July 12, 2001, enclosed are the following:

- ☒ Part 2 of Formalities Letter or Form PTO-1533
(Notice to File Missing Parts of Application)
- ☒ Declaration, which has been executed by the named inventors; Power of Attorney from ARCH Development Corporation; Power of Attorney from Health Research, Inc.; Certificate Under 37 C.F.R. § 3.73(b); and copies of Assignments from inventors of priority document, U.S. Provisional Application Serial No. 60/204,284, filed May 15, 2000.
- ☐ Applicant claims small entity status
- ☒ Check in the amount of \$240.00 to cover: \$130.00 surcharge under 37 C.F.R. § 1.16(e) and \$110.00 1-mo. extension of time fee
- ☐ English Translation and \$130.00 (37 CFR 1.17(k)) fee for filing late.
- ☒ Other: Petition and Fee for Extension of Time

Any additional fee or credit may be charged to our Deposit Account No. 16-0605.

Respectfully submitted,

Leslie T. Henry

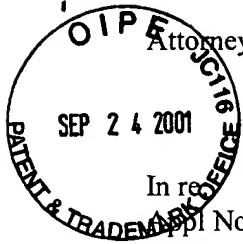
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: **Box Missing Parts**, Commissioner for Patents, Washington, DC 20231, on September 20, 2001.

Polly P. Burton



Attorney's Docket No. 35784/209112 (5784-50)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Caligiuri *et al.*
App. No.: 09/855,342 Confirmation No. 8842
Filed: May 14, 2001
For: METHODS OF THERAPY FOR CANCERS CHARACTERIZED
BY OVEREXPRESSION OF THE HER2 RECEPTOR PROTEIN

Box Missing Parts
Commissioner for Patents
Washington, DC 20231

**SUBMITTAL OF DECLARATION
UNDER 37 C.F.R. § 1.63**

Sir:

Enclosed is a Declaration and Power of Attorney for the above-identified patent application that has been executed by the named inventors.

A check in the amount of \$130 is also enclosed to cover the surcharge under 37 C.F.R. § 1.16(e). Any additional fee or credit may be charged to our Deposit Account No. 16-0605.

Respectfully submitted,

Leslie T. Henry
Registration No. 45,714

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: **Box Missing Parts**, Commissioner For Patents, Washington, DC 20231, on September 20, 2001.

Polly P. Burton

RTA01/2103770v1